

### **LISTING OF THE CLAIMS**

This listing of claims will replace all prior listings and versions thereof.

Claims 1-24 (Cancelled)

Claim 25. (Previously Presented) A sterile, liquid preparation in the form of an aqueous solution for application as an aerosol containing about 80 mg/ml to 120 mg/ml of tobramycin and an acidic adjuvant, wherein the preparation comprises not more than 2 mg/ml of sodium chloride and the preparation further contains a magnesium salt and/or a calcium salt.

Claim 26. (Previously Presented) The preparation according to claim 25 wherein the preparation is substantially free of sodium chloride.

Claim 27. (Previously Presented) The preparation according to claim 26 wherein the preparation contains at least one further substantially neutral isotonicising agent.

Claim 28. (Previously Presented) The preparation according to claim 27 wherein the isotonicising agent is a sugar or a sugar alcohol.

Claim 29. (Previously Presented) The preparation according to claim 25 wherein the preparation has a pH of about 5.5 to about 6.5.

Claim 30. (Previously Presented) The preparation according to claim 25 wherein the acidic adjuvant is sulfuric acid or hydrochloric acid.

Claim 31. (Previously Presented) The preparation according to claim 25 wherein the preparation contains at least one surface active adjuvant.

Claim 32. (Previously Presented) The preparation according to claim 31 wherein the surface active adjuvant is a phospholipid.

Claim 33. (Previously Presented) The preparation according to claim 32 wherein the preparation contains tyloxapol as a further surface active adjuvant.

Claim 34. (Previously Presented) The preparation according to claim 25 wherein the preparation has a dynamic viscosity at room temperature of about 1.6 to 2.0 mPas and an osmolality of about 200 to 300 mOsmol/l.

Claim 35. (Previously Presented) The preparation according to claim 25 wherein the preparation has an osmolality of about 230 to 280 mOsmol/l.

Claim 36. (Previously Presented) The preparation according to claim 25 wherein the preparation exists as a measured single dose within a primary packaging.

Claim 37. (Previously Presented) The preparation according to claim 36 wherein the primary packaging is formed by a plastic container which comprises a removal closure element.

Claim 38. (Previously Presented) The preparation according to claim 37 wherein the removal of the closure element forms a round opening in the plastic container, the diameter of which corresponds to about the internal diameter of a female Luer lock adapter.

Claim 39. (Previously Presented) The preparation according to claim 37 wherein the plastic container, after removal of the closure element, can be fitted essentially tightly to the connector of a nebuliser which is provided for the input of liquid.

Claim 40. (Previously Presented) The preparation according to claim 37 wherein the plastic container is provided with at least one embossing, which represents a product designation, a lot code, a use-by date and/or a volume or dose marking.

Claim 41. (Previously Presented) A kit for the manufacture of a preparation according to claim 25, the kit comprising (a) a liquid or solid component containing an active agent and (b) a liquid component which is free of active agent.

Claim 42. (Cancelled)

Claim 43. (Cancelled)

Claim 44. (Previously Presented) The preparation according to claim 25 wherein the preparation is adapted for application by a jet, ultrasonic or piezoelectric nebuliser.

Claim 45. (Previously Presented) The preparation of claim 44 wherein the preparation is adapted for application by a piezoelectric nebuliser.

Claim 46. (Previously Presented) The preparation of claim 45 wherein the piezoelectric nebuliser is a device of the eFlow<sup>TM</sup> type of PARI.

Claim 47. (Previously Presented) The preparation of claim 25 wherein the preparation is adapted for nasal application by a mechanical atomiser or a jet, ultrasonic or piezoelectric nebuliser.

Claim 48. (Previously Presented) The preparation of claim 47 wherein the preparation is adapted for administration to the mucosa of the paranasal and/or frontal sinuses.

Claim 49. (Previously Presented) The preparation according to claim 47 wherein the preparation is adapted for administration by a jet nebuliser which comprises a nose piece for supplying an aerosol to one or both nostrils of a patient and the aerosol output of which has a pulsating pressure.

Claim 50. (Previously Presented) A method for treating a subject suffering from a respiratory infection comprising administering a preparation of claim 25 to the subject by aerosol application whereby the respiratory infection is treated.

Claim 51. (Previously Presented) A method for treating a subject suffering from a respiratory infection comprising administering a preparation of claim 25 to the subject by intravenous, intraarterial, subcutaneous or intramuscular injection whereby the respiratory infection is treated.

Claim 52. (Previously Presented) A method for treating a subject suffering from a respiratory infection comprising nasally or pulmonarily administering a preparation of claim 25 to the subject whereby the respiratory infection is treated.

Claim 53. (Previously Presented) The method of claim 52 wherein the preparation is administered nasally.

Claim 54. (Previously Presented) The method of claim 52 wherein the preparation is administered pulmonarily.

Claim 55. (Previously Presented) A method for treating a subject suffering from a respiratory infection comprising administering a preparation of claim 25 to the subject by a jet, ultrasonic or piezoelectric nebuliser whereby the respiratory infection is treated.

Claim 56. (Previously Presented) The preparation according to claim 25 wherein the preparation comprises 1 mM to 10 mM of a salt selected from the group consisting of a magnesium salt, a calcium salt, and a combination of a magnesium salt and a calcium salt.